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Viewing cable 10MANAGUA57, Nicaraguan Electoral Authority Continue Manipulation of

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Understanding cables

Every cable message consists of three parts:

- The top box shows each cables unique reference number, when and by whom it originally was sent, and what its initial classification was.
- The middle box contains the header information that is associated with the cable. It includes information about the receiver(s) as well as a general subject.
- The bottom box presents the body of the cable. The opening can contain a more specific subject, references to other cables (browse by origin to find them) or additional comment. This is followed by the main contents of the cable: a summary, a collection of specific topics and a comment section.

To understand the justification used for the classification of each cable, please use this WikiSource article as reference.

Discussing cables

If you find meaningful or important information in a cable, please link directly to its unique reference number. Linking to a specific paragraph in the body of a cable is also possible by copying the appropriate link (to be found at the paragraph symbol). Please mark messages for social networking services like Twitter with the hash tags #cablegate and a hash containing the reference ID e.g. #10MANAGUA57.

Reference ID	Created	Released	Classification	Origin
10MANAGUA57	2010-02-02 14:15	2011-08-30 01:44	CONFIDENTIAL	Embassy Managua

Appears in these articles:

<http://www.nacion.com/2011-05-30/Mundo/NotasSecundarias/Mundo2758456.aspx>  
<http://www.nacion.com/2011-05-30/Mundo/NotasSecundarias/Mundo2758467.aspx>  
<http://www.nacion.com/2011-05-30/Mundo/NotasSecundarias/Mundo2758468.aspx>  
<http://www.nacion.com/2011-05-30/Mundo/NotasSecundarias/Mundo2758464.aspx>  
<http://www.confidencial.com.ni/articulo/4103/la-embusa-y-el-gabinete-de-ortega>  
<http://www.confidencial.com.ni/articulo/4104/d-rsquo-escoto-en-onu-l-dquo-un-desafio-de-ortega-a-ee-uu-rdquo>  
<http://www.confidencial.com.ni/articulo/4102/estrada-y-la-l-dquo-doble-cara-rdquo-ante-ee-uu>  
<http://www.confidencial.com.ni/articulo/3966/la-l-dquo-injerencia-rdquo-de-ee-uu-en-el-2006>  
<http://www.nacion.com/2011-05-23/Mundo/Relacionados/Mundo2758764.aspx>  
<http://www.nacion.com/2011-05-23/Mundo/NotaPrincipal/Mundo2758753.aspx>  
<http://www.confidencial.com.ni/articulo/4041/millones-de-dolares-sin-control-y-a-discrecion>  
<http://www.confidencial.com.ni/articulo/4040/la-l-dquo-injerencia-rdquo-de-venezuela-en-2006>  
<http://www.confidencial.com.ni/articulo/4047/rodrigo-barreto-enviado-de-l-dquo-vacaciones-rdquo>  
<http://www.nacion.com/2011-05-16/Mundo/NotasSecundarias/Mundo2757239.aspx>  
<http://www.nacion.com/2011-05-16/Mundo/NotaPrincipal/Mundo2746658.aspx>  
<http://www.nacion.com/2011-05-16/Mundo/Relacionados/Mundo2757244.aspx>  
<http://www.nacion.com/2011-05-16/Mundo/Relacionados/Mundo2746673.aspx>  
<http://www.confidencial.com.ni/articulo/3991/dra-yadira-centeno-desmiente-cable-diplomatico-eeuu>  
<http://www.confidencial.com.ni/articulo/3968/pellas-pronostico-a-eeuu-victoria-de-ortega-en-2006>  
<http://www.confidencial.com.ni/articulo/3967/barreto-era-l-dquo-fuente-confiable-rdquo-para-eeuu>

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RHEFDIA/DIA WASHINGTON DC IMMEDIATE  
RHEHAAA/NATIONAL SECURITY COUNCIL WASHINGTON DC IMMEDIATE  
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RHMFISS/DEPT OF JUSTICE WASHINGTON DC IMMEDIATE  
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AMEMBASSY BRIDGETOWN PASS TO AMEMBASSY GRENADA  
AMEMBASSY OTTAWA PASS TO AMCONSUL QUEBEC  
AMEMBASSY BRASILIA PASS TO AMCONSUL RECIFE  
  
E.O. 12958: DECL: 2020/02/02  
TAGS: PGOV PHUM KDEM NU  
SUBJECT: Nicaraguan Electoral Authority Continue Manipulation of  
Regional Elections  
  
REF: 09 MANAGUA 859  
  
CLASSIFIED BY: Robert J. Callahan, Ambassador, State, US Embassy  
Managua; REASON: 1.4(B), (D)

1. (C) Summary: On January 19, Nicaragua's Supreme Electoral Council (CSE) issued its regulations governing electoral observation for the March 7 regional elections. Civil society and the political opposition agree that the regulations significantly differ from past practice, severely limiting those eligible to observe and keeping a careful eye on those who might eventually be accredited. Following this, on January 22, the CSE issued a resolution disqualifying 25 opposition candidates on the Atlantic coast, three months after the process for disqualifying candidates concluded and the CSE already had published the final list of candidates. A week later, the CSE reversed its resolution on the candidates blaming the media for erroneous reporting. Unfortunately, the CSE's management of the 2010 regional elections are mirroring its administration of the 2008 municipal elections, leading to an increased likelihood that the fraudulent results will also be the same. End Summary.

Restricting, if not Prohibiting, Observation

¶2. (C) On January 19, the CSE magistrates approved the "Regulations for Observation and International Visitors Invited to Accompany the Regional Elections," which is in accordance with the CSE's norms. According to the regulations, those interested in applying for credentials may submit an application to the CSE by February 5. As one member of a non-government organization with experience in Nicaraguan elections noted, the regulations are severely restrictive and invasive and differ significantly from those for the 2006 national elections and the 2008 municipal elections. A member of the Electoral Reform Group (an association of civil society groups formed after the 2008 municipal election fraud to promote electoral reform) told us that the main concern with the new regulations is the very clear and repeated mention that the CSE has the discretion to deny accreditation to any person or organization that speaks ill of any state institution. Specifically, Article 5 of the new regulations state, "Any person [or organization] that has stated their partiality, opinion and/or judgment against the electoral authorities or the [March] electoral process, or stated their support or opposition to any political organization cannot be accredited as an observer." Article 23 further clarifies that electoral observers will refrain from "issuing any expression of offense, defamation, or slander against [state] institutions, the electoral authorities, political organizations or candidates."

¶3. (C) The CSE's regulations for the 2008 municipal elections did not contain this language, but the CSE ultimately did not accredit credible observers for those contests using the same excuse - i.e., the observers were not impartial. For the March regional elections, the CSE apparently already has disqualified one of the country's two most respected observation groups - Ethics and Transparency (EyT). In a public statement issued January 19, the CSE condemned comments made by EyT's executive director who questioned the credibility of the CSE magistrates as a result of the 2008 election fraud. Another respected Nicaraguan observation group, the Institute for Development and Democracy (IPADE), submitted its application for observation, but is skeptical it will be accredited. According to an IPADE staff member, the application process described in the regulations is unclear, arbitrary and contradictory, which gives the CSE ample room to reject observation applications. Another method that might be used by the CSE or government to disqualify observers is the requirement that applicant's submit their financial plan, complete with funding sources, to the CSE and requires that these plans be certified by the Ministry of Foreign Affairs in the case of international

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organizations and by the Ministry of Government in the case of domestic groups. However, it is unclear how these ministries would certify these financial plans.

¶4. (C) Aside from the restrictions mentioned above, civil society groups and the political opposition have argued that the CSE's regulations for the upcoming regional elections vary from past practice. One organization that works Nicaraguan electoral issues provided a comparison among the observation regulations for elections in 2006, 2008 and the upcoming 2010 elections. For the most part the 2006 and 2008 regulations were the same, with minor differences. However, the latest regulations are more restrictive than past practice. Following are some examples of how the latest regulations differ from the past:

- General Principles of Observation: requires complete impartiality with new language specifically prohibiting any applicant who has expressed an opinion against the CSE or the electoral process. (Article 5)
- Application Process for Accreditation: requires the list of people who will observe the elections, broken down by the voting district in which the person will observe (previous regulations required a simple list of people once the organization was accredited, but did not require the specification of location); and organizations must submit their training plans and manuals to be used in training their observers, which then needs to be approved by the CSE. (Article 13)
- Observers' Rights: the CSE will provide an assistant or staffer ("edecCIn") to "help" observers the day of the elections (groups interpret this as limiting observers' ability to properly observe the elections). (Article 21)
- Observers' Responsibilities: attend CSE training on electoral observation and refrain from expressing opinions or judgments regarding Nicaragua's internal issues. (Article 22 and 23)

CSE's Electoral Manipulation Doesn't Stop with Observers

¶5. (C) While the CSE plays with the rules governing election observation, it is doing the same with the candidates participating in the elections. On January 22, the CSE issued a resolution disqualifying 25 candidates from the Constitutional Liberal Party (PLC). This occurred three months after the CSE's own-established electoral calendar stipulated the final candidates list had to be published, which the CSE had done on November 5, 2009. On January 28, CSE Chief of Staff Rodrigo Barreto confirmed to us that the resolution c Autonomous Region (RAAS) and eight from the Northern Atlantic Autonomous Region (RAAN) because the candidates had not complied with internal PLC statutes (which bars party members who hold an office within been published. On January 30 and 31, CSE officials stated that the candidates had not been disqualified, but rather that the media had erroneously reported on the issue. On February 1, Barreto confirmed to us that all the candidates were eligible to participate and stated that there had never been a resolution. He did not explain the contradiction between the January 28 and February 1 conversations with us.

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Comment

¶6. (C) The CSE's tactics of playing with candidate lists and severely restricting (if not prohibiting) election observation are some of the same tricks the electoral authority used to manipulate the 2008 municipal elections. Threats of disqualifying opposition candidates could discredit the candidates in the eyes of the voters, increasing the likelihood that members of the Sandinista National Liberation Front (FSLN) wins in the regional elections. The CSE's regulations barring any observer who expresses a negative opinion about the CSE or Nicaraguan elections could be used to bar any non-interested in conducting free, fair or transparent elections.

CALLAHAN